

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANTHONY BROWN,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19-CV-2619 DDN
)	
CORIZON MEDICAL and CONNIE)	
GORDON,)	
)	
Defendants.)	

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court upon review of the complaint filed by *pro se* plaintiff Anthony Brown. For the reasons explained below, this case will be transferred to the United States District Court for the Western District of Missouri.

Plaintiff brings this case against Corizon Medical and a nurse employee of Corizon, Connie Gordon. Plaintiff asserts violations of his civil rights under 42 U.S.C. § 1983, which allegedly occurred while he was incarcerated at Algoa Correctional Center (“ACC”). Plaintiff seeks relief due to a fall down a flight of stairs at ACC, resulting in back and neck injuries. According to plaintiff, nurse Gordon failed to order him needed contact lenses solution after he requested it multiple times following a visit with the eye doctor in January 2019. As a result, plaintiff developed an eye infection from using expired contact solution. Because of the infection, he could not wear his prescribed hard contact lenses, which he claims he is legally blind without. Due to the lack of lenses, plaintiff missed a step and fell down a flight of stairs at ACC in February 2019. ACC is located in Jefferson City, Missouri which is in Cole County in the Western District of Missouri. *See* 28 U.S.C. § 105(b)(4).

Under 28 U.S.C. § 1391(b), a civil action of this type may be brought in: “(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.”

“For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a). Here, plaintiff’s claims arise entirely from events which occurred during his incarceration in the Western District of Missouri. In addition, at least one defendant and presumably all of the witnesses are located in the Western District. Therefore, the Court concludes that it is in the interest of justice to transfer this case to the United States District Court for the Western District of Missouri for all further proceedings.

Furthermore, plaintiff has one pending motion before the Court. Plaintiff filed an application to proceed in district court without prepaying fees or costs. ECF No. 2. Having reviewed the application and the financial information submitted in support (ECF No. 6), the Court will grant the motion to proceed *in forma pauperis* subject to modification by the United States District Court for the Western District of Missouri. See 28 U.S.C. § 1915(a).

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall **TRANSFER** this case to the United States District Court for the Western District of Missouri. See 28 U.S.C. § 1404(a).

IT IS FURTHER ORDERED that plaintiff's application to proceed in district court without prepaying fees or costs [ECF No. 2] is **GRANTED**, subject to modification by the United States District Court for the Western District of Missouri.

Dated this 6th day of January, 2020.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE